

REMARKS

In the foregoing amendments, claims 1-19 and 22-43 are canceled without prejudice, disclaimer, or waiver. Claims 44-69 are newly added and are now pending in the present application.

I. Response to 35 U.S.C. §112, Second Paragraph Rejection

Claims 11-15 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for lacking sufficient antecedent basis for “the output transport stream identifier”. Applicants traverse this rejection and contend that the terminology first appears in claim 11 and provides proper antecedent basis for later occurrences. The claims, however, have been canceled by amendment herein and therefore the rejection is moot.

II. Response to 35 U.S.C. §102 Rejection

Claims 1-8, 33-36, and 39-43 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by *Teraoka* (U.S. Patent No. 6,292,836). Applicants respectfully traverse this rejection on the grounds that *Teraoka* fails to disclose each and every element of the claims. However, in order to more clearly define the aspects of the present application, these claims have been canceled and new claims 44-69 have been added. Because of the cancellation of these claims, the rejection is rendered moot.

III. Response to 35 U.S.C. §103 Rejections

Claim 9 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Rao* (U.S. Patent No. 6,789,118) in view of *Teraoka*. Claim 10 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Rao* in view of *Teraoka* and further in view of *Brandt et al.* (U.S. Patent No. 6,377,993). Claims 11-19 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Rao* in view of *Teraoka* and further in view of *Hegde et al.* (U.S. Patent No. 6,570,875). Claims 22-24 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tokuyo et al.* (U.S. Patent No. 6,829,238) in view of *Rao*. Claims 25-32 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Tokuyo, et al.* in view of *Rao* and further in view of

Teraoka. Also, claims 37 and 38 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Teraoka* in view of *Rao*. Applicants respectfully traverse these rejections because the cited references, taken alone or in combination, fail to teach or suggest each and every element of the claims. Also, since these claims have been canceled, the rejection is rendered moot.

IV. New Claims

Newly added claims 44-69 are believed to be allowable over the cited references because the references, taken alone or in combination, fail to teach or suggest each and every aspect of the claims. The claims are believed to be allowable for at least the following reasons.

With regard to claim 44, the cited references fail to teach or suggest that *in response to receiving the initiate signal from the controller, each of the plurality of network devices generates a network message and sends the network message to the controller, the network message including information associated with the respective network device*. Also, the cited references fail to teach or suggest that *in response to receiving the network messages from the network devices, the controller generates a transport stream map, the transport stream map representing a flow of transport streams among the plurality of network devices*.

With regard to claim 51, the cited references fail to teach or suggest *receiving a network message from each of the plurality of devices, each network message including a device identifier for identifying the respective device, an input transport stream identifier for identifying one or more transport streams that the respective device receives, and an output transport stream identifier for identifying one or more transport streams that the respective device transmits*. Also, the cited references fail to teach or suggest that *in response to receiving the network messages from the plurality of devices, grouping the devices into tiers and associating a first device of a first tier with a second device of a second tier based on information related to the input transport stream identifiers and output transport stream identifiers*.

With regard to claim 59, the cited references fail to teach or suggest *assigning a unique transport stream identifier to each transport stream of a plurality of*

transport streams..., associating each assigned unique transport stream identifier with a particular device..., transmitting to each device of the plurality of devices an assigned unique transport stream identifier associated therewith, and receiving a network message from multiple devices of the plurality of devices, each network message including at least one input transport stream identifier.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-19 and 22-43 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at (770) 933-9500.

Respectfully submitted,

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